

VZCZCXRO8454
PP RUEHAG RUEHBI RUEHCI RUEHLH RUEHPW RUEHROV RUEHSR
DE RUEHAH #1611/01 3521317
ZNY CCCCC ZZH
P 171317Z DEC 08
FM AMEMBASSY ASHGABAT
TO RUEHC/SECSTATE WASHDC PRIORITY 2003
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE PRIORITY
RUCNCIS/CIS COLLECTIVE PRIORITY
RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY
RUEHAK/AMEMBASSY ANKARA PRIORITY 4594
RUEHBJ/AMEMBASSY BEIJING PRIORITY 2398
RUEHKO/AMEMBASSY TOKYO PRIORITY 2263
RUEHIT/AMCONSUL ISTANBUL PRIORITY 2842
RHMFISS/CDR USCENTCOM MACDILL AFB FL PRIORITY
RUEHVEN/USMISSION USOSCE PRIORITY 3148
RUEAIIA/CIA WASHDC PRIORITY
RHEFDIA/DIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RUEKJCS/JOINT STAFF WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 ASHGABAT 001611

SIPDIS

STATE FOR SCA/CEN; DRL

E.O. 12958: DECL: 12/17/2018

TAGS: [PGOV](#) [PHUM](#) [TX](#)

SUBJECT: TURKMENISTAN: BAYRAMALY LAWYER AND WOULD-BE
MEJLIS CANDIDATE GETS FOUR YEAR PRISON TERM

REF: ASHGABAT 1453

Classified By: Charge d'Affaires a.i. Richard M. Miles for reasons 1.4
(b) and (d).

11. (C) SUMMARY: Farmers' Union lawyer Abdulrahman Bayramov was found guilty on December 16 of misappropriating land and misusing state property, and given a four year prison sentence. An appeal of the verdict will be filed in ten days. Supporters opined that the primary reason for his prosecution was his effort to become a Mejlis candidate without government approval. Bayramov's history as a lawyer defending local cotton farmers makes it likely that officials might view him as a threat. END SUMMARY.

WOULD-BE CANDIDATE TRIED FOR OLD PROPERTY CRIMES

12. (C) Poloff traveled to Bayramaly in Mary province on December 16 to attend the trial of lawyer and longtime USAID program implementer Abdulrahman Bayramov (reftel). On arrival, Bayramov's colleagues and friends reported that he was being tried for crimes relating to misappropriation of land and for misuse of state property.

13. (C) Bayramov assisted his son in 2004 in getting permission from local authorities to renovate a former collective farm building, according to fellow farmer, Begli Nuri. Bayramov's supporters showed poloff a document dated late 2004 that appeared to be the minutes of a village meeting at which it was decided that Bayramov's son would lose the use of the building and the land due to revised land policy. However, there are documents, dated after the village meeting document, issued by local government bodies, that state the land was being properly used.

14. (C) Bayramov's son, Maksat, said the misuse of state property charge stems from 2006, when Maksat moved several concrete plates, used for Soviet-era fence construction, from a pile behind the barn, to the interior of the building. He said that in 2006, just a short time after he moved the plates into the barn, local MNB officers appeared and told him the plates were government property. They asked him to pay him five million manat. (COMMENT: This could have been a bribe. END COMMENT.) A pile of similar plates remains behind the barn, where animal waste is being heaped.

CHARGES POSSIBLY POLITICALLY-MOTIVATED

¶5. (C) None of Bayramov's family or friends, however, believes that these charges were the true reason for his prosecution. All with whom poloff spoke believed that Bayramov was being prosecuted for his attempt to become a candidate for Mejlis deputy. Nuri said Bayramov supporters had gathered a list of other local farmers who had committed the same kinds of infractions that Bayramov's son had, but who had never been charged, fined or arrested.

IRRITATED OFFICIALS

¶6. (C) According to Nuri, Bayramov irritated provincial leadership in recent years with the legal advice and assistance he provided to local cotton farmers, who sought his help with issues that frequently arose when it was time to sell their cotton to provincial authorities. Nuri said local officials routinely came up with ways to reduce the tonnage of cotton they purchased from farmers, in particular by declaring as much as 20 percent of the weight as "waste." This allowed officials to receive the entire ton but then pay for only 800 kilos. Bayramov would uncover the scam and try to help protect farmers from such practices.

ACCESS TO COURTROOM RESTRICTED

¶7. (C) Bayramov's trial was set to begin at 9:00 a.m. at the Bayramaly district court, but the doors did not open

ASHGABAT 00001611 002 OF 002

until 11:15 a.m. Bayramov arrived in a police vehicle, escorted by three Internal Affairs officers, and was taken inside. Internal Affairs officers then appeared at the door to the court building, and read a list of about ten names of close family and witnesses who would be allowed into the court room. The officers then indicated that the court room was too full, and no one else could attend the trial. Some 25 family members, co-workers and friends stood outside in the freezing weather to support Bayramov. The crowd expressed their disbelief with this news and argued with the officers for some time. As they did so, a smaller subset of people moved to the right side of the building, where a window into Bayramov's court room was located. Within minutes, two additional officers appeared outside and moved the people away from the window, and guarded the window for the next hour and a half, until the cold drove those standing outside into warm cars.

¶8. (C) Around 1:00 p.m., Maksat Bayramov, who had been able to sit in the court room, emerged and told the people gathered outside that the prosecutor had made his statement and had questioned Bayramov. Bayramov served as his own legal counsel, having fired the defense lawyer supporters had hired after his arrest in November. Finally, witnesses had each spoken, and all had reportedly spoken positively of Bayramov. (COMMENT: We don't know if they served as character witnesses or addressed the charges themselves. END COMMENT.) Maksat indicated that the judge would soon reach a verdict. (NOTE: Not including the verdict, the trial was one and a half hours in length. END NOTE.) Supporters appeared to be pleased with this news, and continued to wait for the proceedings to conclude. At about 1:30 p.m., the court adjourned, the judge having reached a verdict.

CONVICTED ON BOTH CHARGES

¶9. (C) Witnesses said the judge found Bayramov guilty of the charges, and approved the prosecutor's request that he receive a sentence of four years in prison. Shocked supporters talked among themselves and most of the women cried. Moments later, Bayramov was shuffled out of the court building and through the crowd, again surrounded by four or five officers. Bayramov's family and friends surrounded them, calling out words of support to Bayramov and

criticizing the officers who pushed him into the car. None, however, were brazen or angry enough to shout at or touch the men as they got into the car. Bayramov's cousin, Shageldy Hojageldiyev, said they will appeal the court's decision in ten days, and fellow lawyer Ata Gulibchev said he would provide a copy of the verdict to poloff when he comes to Ashgabat in the coming week.

¶10. (C) COMMENT: Bayramov, who has long been known as someone "outspoken," has not endeared himself to local officials. His attempt to run for parliament as an independent candidate may have further irritated officials. Interestingly, he was detained not long after he loudly complained at a reception hall full of foreign diplomats of his inability to make the ballot. It is quite possible that he is guilty of the stated charges. However, in a country where corruption is rife, greasing palms and working connections is the usual way of dealing with unpleasantries. Those options may have run out for someone who has burned bridges with officials. END COMMENT.
MILES